

## REMARKS

Reconsideration of this Application is respectfully requested in view of the above claim amendments and the arguments presented below.

Applicants assert that Claims 1-36 and new Claims 37-72 are patentable over the cited art of record.

### 35 U.S.C. Section 102 Rejections

The above referenced Office Action rejects independent Claims 1, 11, 17, as being anticipated by U.S. Patent 6,532,314 (hereafter Plain).

Applicants respectfully traverse.

Each of the independent Claims 1, 11, and 17 of the present application have been amended to recite a scanning apparatus comprising (i) a stylus having an optical detector, (ii) a processor coupled to the optical detector and the optical emitter, (iii) a memory unit comprising code for different audio outputs corresponding to a plurality of print elements on a surface and code for determining locations on the surface, the memory unit coupled to the processor, and (iv) an audio output device coupled to the processor. Each of the independent Claims 1, 11, and 17 recite the scanning apparatus recognizing at least one of the plurality of print elements on a surface via the code for determining locations, and provides an audio output in accordance with the one print element.

Applicants assert that the above claim amendments distinguish the claimed invention beyond the disclosure of the Plain reference. Applicants find no disclosure relating to the toy scanner of the Plain reference with regard to print elements as disclosed by the claimed invention. Accordingly, the present invention as recited in independent Claims 1, 11, and 17 is not anticipated within the meaning of 35 USC Section 102 by the Plain reference.

Independent Claim 22 has been amended to overcome the cited Beasley reference (U.S. Patent No. 4,793,810). Specifically, Claim 22 has been amended to recite generating an audio output corresponding to the print element, wherein the audio output generated by the scanning apparatus. The Beasley reference specifically recites receiving an audio output (emphasis added). Accordingly, the present invention as recited in independent Claim 22 is not anticipated within the meaning of 35 USC Section 102 by the Beasley reference.

Independent Claim 25 has been amended to overcome the cited Ohara reference (U.S. Patent No. 5,485,176). Specifically, Claim 25 has been amended to recite generating an audio output from an audio output device of the scanning apparatus. The Ohara reference does not show an audio output device comprising the scanning apparatus. Accordingly, the present

invention as recited in independent Claim 25 is not anticipated within the meaning of 35 USC Section 102 by the Ohara reference.

Independent Claims 28 and 32 have been amended to overcome the cited Kimball reference (U.S. Patent No. 5,059,126). Specifically, Claims 28 and 32 recite substantially invisible codes. The Kimball reference shows barcodes for the scanning apparatus. The barcodes are not substantially invisible. Accordingly, the present invention as recited in independent Claims 28 and 32 is not anticipated within the meaning of 35 USC Section 102 by the Kimball reference.

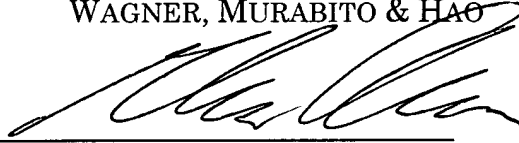
New Claims 37-72

Applicants have herein added new Claims 37-72 to point out aspects of the present invention. Applicants assert no new matter has been added.

CONCLUSION

All Claims (1-36 and new Claims 37-72) of the present application are now in condition for allowance. The Examiner is urged to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application. Please charge any additional fees or apply any credits to our PTO deposit account number: 23-0085.

Respectfully submitted,  
WAGNER, MURABITO & HAO



Dated: 5/2, 2005

Glenn Barnes  
Registration No. 42,293

Two North Market Street  
Third Floor  
San Jose, CA 95113  
(408) 938-9060